

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

TO:

McALLEN DIVISION

Richard Quintanilla
400 W. 6th St. Apt. 4
Weslaco, Texas 78596

SUBPOENA TO TESTIFY BEFORE GRAND JURY

SUBPOENA FOR:

☐ PERSON ☒ DOCUMENTS OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE UNITED STATES DISTRICT COURT BENTSEN TOWER 1701 W. HIGHWAY 83 McALLEN TX 78501	ROOM GRAND JURY ROOM 2nd Floor DATE AND TIME January 29, 2019 @ 9:00 am
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YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):*

Please see subpoena attachment. Please complete the attached Business Records Affidavit.

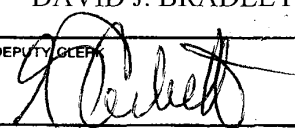
Compliance with this subpoena may occur by mailing the requested records prior to the appearance date indicated on the face of the subpoena to Special Agent, Jason Malkiewicz, Federal Bureau of Investigation, 1200 N. McColl, McAllen, Texas 78501. Electronic production of the requested records is preferred and can be delivered to jmalkiewicz@fbi.gov. If mailing hardcopies or compact discs, please send information through Federal Express (overnight) to SA Jason Malkiewicz, Federal Bureau of Investigation, 1200 North McColl Rd., McAllen, TX 78501. SA Malkiewicz can be reached directly @ (956) 984-6461. Please do not send materials to the United States Attorney's Office.

Should you have any additional questions, please contact Special Agent Jason Malkiewicz at (956) 984-6461.

You are not to disclose the existence of this directive. Any such disclosure would impede the investigation being conducted and thereby interfere with the enforcement of the law.

☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK DAVID J. BRADLEY, Clerk	DATE
(BY) DEPUTY CLERK 	01/08/19
This subpoena is issued upon application of the United States of America RYAN K. PATRICK UNITED STATES ATTORNEY	NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY Roberto Lopez, Jr., Assistant United States Attorney 1701 W. Business Highway 83, Suite #600 McAllen, TX 78501 956-618-8010 19-019/16R15273

*If not applicable, enter "none."

To be used in lieu of AO110



GOVERNMENT
EXHIBIT

135

FORM OBD-227
JAN. 86

DOJ_0094471

RETURN OF SERVICE ⁽¹⁾		
RECEIVED BY SERVER	DATE	PLACE
SERVED	DATE	PLACE
SERVED ON (NAME)		
SERVED BY		TITLE
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER ⁽²⁾		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____</p> <div style="display: flex; justify-content: space-between;"> <div style="text-align: center;"> <p><i>Date</i></p> </div> <div style="text-align: center;"> <p><i>Signature of Server</i></p> </div> </div> <div style="text-align: center; margin-top: 20px;"> <p><i>Address of Server</i></p> </div>		
<p>ADDITIONAL INFORMATION</p>		

(1) As to who may serve a subpoena and the manner of its service see Rule 17(d), Federal Rules of Criminal Procedure, or Rule 45(c), Federal Rules of Civil Procedure.

(2) "Fees and mileage need not be tendered to the witness upon service of a subpoena issued on behalf of the United States or an officer or agency thereof. (Rule 45(c), Federal Rules of Civil Procedure; Rule 17(d), Federal Rules of Criminal Procedure) or on behalf of certain indigent parties and criminal defendants who are unable to pay such costs (28 USC 1825, Rule 17(b) Federal Rules of Criminal Procedure)"

BUSINESS RECORDS AFFIDAVIT

THE STATE OF TEXAS §
 §
COUNTY OF _____ §

BUSINESS RECORDS AFFIDAVIT

BEFORE ME, the undersigned authority, personally appeared _____,
who, being by me duly sworn, deposed as follows:

1. My name is _____. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated.
2. I am the custodian of the records of the documents pertaining to: _____

3. Attached hereto, are _____ pages of copies of the records; to wit: _____

4. The said copies of the records are kept by:

The number of _____ pages are kept by _____ in the regular course of business.
5. It is the regular practice of said business for an employee or representative with knowledge of the act, event, incident, order, transaction, invoice, condition, photo, video recording, audio recording, opinion or diagnosis to make the record, or to transmit information thereof to be included in such records.
6. The said records were made at or near the time of occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters.
7. The said records attached hereto are the originals and/or exact duplicates of the originals.

Affiant's Signature

THE STATE OF TEXAS §
 §
COUNTY OF _____ §

SUBSCRIBED AND SWORN TO OR AFFIRMED before me on the _____ day of _____, _____
by Affiant _____.

Notary Public

My Commission Expires:

**19-019/2016R15273
GRAND JURY SUBPOENA ATTACHMENT**

To: Richard Quintanilla
400 W. 6th St. Apt. 4
Weslaco, Texas 78596

Documents to be Produced, from January 1, 2008 to present:

1. Any and all contracts or agreements relating to Leonel Lopez, Leonel Lopez Consulting, LLC, or Gerardo "Jerry" Tafolla.
2. Any and all records relating to work performed by or for Leonel Lopez, Leonel Lopez Consulting, LLC, or Gerardo "Jerry" Tafolla, including invoices, statements of work, periodic progress reports, and bills.
3. All financial records relating to Leonel Lopez, Leonel Lopez Consulting, LLC, or Gerardo "Jerry" Tafolla, including paychecks, checks, distributions, reimbursements, and receipts.
4. All federal and state tax documents relating to Leonel Lopez, Leonel Lopez Consulting, LLC, or Gerardo "Jerry" Tafolla, including Forms W-2, W-4, W-9, 1099.
5. Incorporation documents, including bylaws, articles of incorporation, minutes of board of directors meetings, and board resolutions for any business entity you own in whole or in part.
6. Incorporation documents, including bylaws, articles of incorporation, minutes of board of directors meetings, and board resolutions for any business entity for which you serve as an officer.
7. All financial statements, including balance sheets, statements of cash flows, and income statements relating to any business entity you own in whole or in part or any business entity for which you serve as an officer.
8. All federal and state tax returns, and associated attachments for filed by or on behalf of any business entity you own in whole or in part or for which you serve as an officer.
9. All records of communications with Leonel Lopez; Geraldo "Jerry" Tafolla; Arturo "A.C." Cuellar, Jr.; and/or Arturo Cuellar, III.
10. All records of communications with any employees, agents, or representatives of the following entities: Leonel Lopez Consulting, Inc.; Quality Ready Mix, Ltd., L.L.P.; Quality Aggregates, Ltd., L.L.P; J-III Concrete Company, Inc.; and/or the City of Weslaco.
11. Any consulting and/or employment agreements you have with Krayden, Inc.
12. Any consulting agreements you entered into with any other individual or business entity.

Definitions

1. The term “record” refers to any record in your possession, custody, or control, and it includes all drafts or unfinished versions of documents.
2. The term “record” includes writings or records of every kind or character conveying information by mechanical, electronic, photographic, or other means, whether encarded, encrypted, taped, stored, or coded electrostatically, electromagnetically, or otherwise.
3. The term “record” includes any physical or electronic means of storing information, including, checks (front and back), bank statements, wire confirmations, documentation of cash payments, invoices, billing records, bills, receipts, other financial records, books of account, working papers, check requests, calendars, text messages, emails, letters, correspondence, notes, summaries, telephone records, telephone messages, telephone message logs or slips, date books, interoffice communications, office notes, results of investigations, any electronic media, computer data, and papers similar to any of the foregoing and writings of every kind or description.

Privileges

If a record demanded by this subpoena is withheld under a claim of privilege, or is otherwise withheld, provide the following information regarding the record: (1) its date; (2) the name and title of its author(s); (3) the name and title of each person to whom it was addressed, distributed, and disclosed; (4) the number of pages; (5) an identification of any attachments or appendices; (6) a general description of its subject matter; (7) its present location and the name of its present custodian; (8) the paragraph of this subpoena to which it is responsive; and (9) the nature of the claimed privilege or other reason the document is withheld.

INSTRUCTIONS FOR PRODUCTION OF RECORDS

I. General

- A. Records existing as **Electronically Stored Information (ESI)** shall be produced in their native electronic form and shall include text data and image data held:
 1. In your record retention systems; and/or
 2. By your technology, data, or other service provider(s).
- B. Records that do not exist as ESI may be produced in paper or other original format and may be converted to image or text data and provided as ESI, unless originals are required.

II. Image Data

- A. Image data shall be produced in native format or in graphic data files in a commonly readable, non-proprietary format with the highest image quality maintained.

III. Encryption/Authentication

- A. ESI may be transmitted in an encrypted container. Decryption keys and/or passwords shall be produced separately at the time the data are produced.
- B. Authentication, such as hash coding, may be set by agreement.
- C. Affidavits or certificates of authenticity may be included as part of the electronic production.

Electronic production of the requested records is preferred and can be delivered to Jason Malkiewicz at JMalkiewicz@FBI.gov. If mailing hardcopies or compact discs, please send information through Federal Express (overnight) to SA Jason Malkiewicz, Federal Bureau of Investigation, 1200 North McColl Rd., McAllen, TX 78501. SA Malkiewicz can be reached directly @ (956) 984-6461. Please do not send materials to the United States Attorney's Office.

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Should you have any additional questions, please contact Special Agent Jason Malkiewicz at (956) 984-6492.